



Written by [Bob Adelman](#) on August 8, 2023

Court Stops Colorado Gun Law Raising Purchase Age to 21

On Monday U.S. District Court Chief Judge Philip Brimmer, a George Bush nominee, issued a temporary restraining order (TRO) against Colorado Governor Jared Polis and his officials, keeping them from enforcing the state's new law raising the age one may purchase a firearm from 18 to 21.

Rocky Mountain Gun Owners (RMGO) Executive Director Taylor Rhodes said, as noted by [The Center Square](#),

Since the day this legislation was introduced, we knew it was unconstitutional.

Under the Golden Dome, at the unveiling of this proposal, RMGO warned the bill sponsors this would quickly be struck down by a federal judge.

Today, our crystal ball became a reality. But it doesn't stop here. We won't stop fighting until every single unconstitutional anti-gun law is struck down.



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Clarification is desperately needed here. A TRO is not a ruling, it is merely a pause in the action. It prohibits state officials from enforcing the law while it is being adjudicated.

And the TRO only relates to the two individuals named as plaintiffs in the lawsuit, and not RMGO or its members. As Judge Brimmer wrote, "The Court finds that the individual Plaintiffs have shown a likelihood of success on the merits on the question of whether the Second Amendment applies to 18-to-20-year-olds."

Brimmer added:

The court agrees with the individual plaintiffs that the Second Amendment includes the right to acquire firearms and, therefore, protects the individual plaintiffs' proposed conduct.

But the judge noted that RMGO itself had established how it, or its members, would suffer injury from enforcement of the new law. Therefore, only the two individual plaintiffs in the lawsuit could seek, and obtain, the temporary restraining order.

There was a small victory. Attorneys defending the new law failed to show or provide any evidence from the founding era of the nation that a total prohibition on the sale of firearms to minors existed. And that



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is due to the ruling in *Bruen* by the Supreme Court last year making it much harder for gun laws to be enforced without judicial challenge.

The same day there was a setback, also by Judge Brimmer. He refused to grant a TRO against another of Colorado's gun laws, this one establishing a three-day waiting period for gun purchasers. Brimmer claimed that neither RMGO nor the individual plaintiff in that lawsuit had demonstrated "an imminent injury" from enforcement of that new rule.

This is the battlefield in Colorado in the war against the private ownership of firearms. It's called "gradualism," or death by a thousand cuts. Governor Polis, when he signed into law a number of Second Amendment infringements in April, made it sound almost sensible: "Today we are taking some important steps to help make Colorado one of the 10 safest states."

Properly, the Republican Party's minority leader Mike Lynch called out the impact of making the state "safer": "Today, Colorado is less free, and our citizens are less safe and able to protect themselves."

That's the cry of "revolutionary parliamentarianism" that has taken over Colorado: Give us a little of your freedom and we'll make Colorado safer.

Ever since four rich liberals installed their "Colorado Model" nearly 20 years ago, the Second Amendment, along with other rights, have been under attack. In April this year, Governor Polis signed into law bills removing protection from gunmakers, making them liable for unlawful use of their products by criminals. He expanded the state's unconstitutional "red flag" law so that nearly anyone with a passing acquaintance with a person may demand that a judge forcibly remove his firearms.

And the ban on "ghost guns" was just upheld, unbelievably, as constitutional by another judge, William Martinez of the U.S. District Court. He wrote:

Reason and the experience of law enforcement counsel is that obliterating a firearm's serial number serves another purpose: making the identity of a person who possesses a particular firearm more difficult to determine.

This feature makes firearms with obliterated serial numbers useful for criminal activity.

Please note the logical fallacy here. Martinez presents no proof that erasing, or building a firearm without, a registration number automatically turns the owner into a criminal, or the firearm into a weapon for criminal activity. He jumps from assertion to conclusion.

At least one attorney called him out on it. Defense attorney in that case, Rebecca Briggs, wrote, "The Second Amendment draws no distinction between arms with serial numbers and arms without them. An individual's possession of a firearm is being criminalized."

These laws should never have been passed but for the zeal of well-financed liberals deciding to turn Colorado dark blue as a model for turning other states blue as well. As *The New American* noted, the state is ["Reaping the Whirlwind: the Colorado Model and Gun Control."](#)



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